

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

Emily Milburn, Individually and a/n/f DLM

v.

Sergeant Gilbert Gomez, et al.

Case No.: 08-193

BILL OF COSTS

Judgment having been entered in the above entitled action on 11/17/2010 against Plaintiff,
Date
 the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ _____
Fees for service of summons and subpoena	_____
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case	<u>2,480.90</u>
Fees and disbursements for printing	_____
Fees for witnesses (<i>itemize on page two</i>)	<u>0.00</u>
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case.	<u>373.93</u>
Docket fees under 28 U.S.C. 1923	_____
Costs as shown on Mandate of Court of Appeals	_____
Compensation of court-appointed experts	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	_____
Other costs (<i>please itemize</i>)	_____
TOTAL	\$ <u>2,854.83</u>

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

☒ Electronic service ☐ First class mail, postage prepaid
☐ Other: _____

s/ Attorney: Name of Attorney: Norman Ray Giles

For: _____ Defendants _____ Date: 11/24/2010
Name of Claiming Party

Taxation of Costs

Costs are taxed in the amount of _____ and included in the judgment.

Clerk of Court

By: _____

Deputy Clerk

Date

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)

NOTICE

"Sec. 1924. Verification of bill of costs."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

RULE 54(d)(1)

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees. — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

INVOICE



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REPORTERS
CLEARINGHOUSE**

214-954-0352 (Fax) 214-954-0364

Norman Giles
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

Invoice No.	Invoice Date	Job No.
56558	4/8/2009	52089
Job Date	Case No.	
3/26/2009	08-193	
Case Name		
Milburn vs. Sgt. Gomez, et al.		
Payment Terms		
Due upon receipt		

ORIGINAL AND 1 CERTIFIED COPY OF TRANSCRIPT OF:

Emily Milburn

387.00

TOTAL DUE >>>**\$387.00**

AFTER 5/8/2009 PAY

\$425.70

Reference No. : 3856-214

Invoice prepared for:
LERIXA LITIGATION SUPPORT

Tax ID: 76-0537648

Phone: 713-658-1818 Fax: 713-658-2553

Please detach bottom portion and return with payment.

Job No. : 52089 BU ID : DALLAS

Case No. : 08-193

Case Name : Milburn vs. Sgt. Gomez, et al.

Invoice No. : 56558

Invoice Date : 4/8/2009

Total Due : \$ 387.00**AFTER 5/8/2009 PAY \$425.70****PAYMENT WITH CREDIT CARD**

Cardholder's Name: _____

Card Number: _____

Exp. Date: _____

Phone#: _____

Billing Address: _____

Zip: _____

Card Security Code: _____

Amount to Charge: _____

Remit To: Court Reporters Clearinghouse, Inc.
4545 Post Oak Place, Suite 350
Houston, TX 77027-3124

INVOICE



**COURT
REPORTERS
CLEARINGHOUSE**

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Norman Giles
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

Invoice No.	Invoice Date	Job No.
56556	4/8/2009	52088
Job Date	Case No.	
3/26/2009	08-193	
Case Name		
Milburn vs. Sgt. Gomez, et al.		
Payment Terms		
Due upon receipt		

ORIGINAL AND 1 CERTIFIED COPY OF TRANSCRIPT OF:

Wilfred Louis Milburn, Jr.

Reference No. : 3856-214

Invoice prepared for:
LERIXA LITIGATION SUPPORT

	343.50
TOTAL DUE >>>	\$343.50
AFTER 5/8/2009 PAY	\$377.85

Tax ID: 76-0537648

Phone: 713-658-1818 Fax: 713-658-2553

Please detach bottom portion and return with payment.

Norman Giles
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

Job No. : 52088 BU ID : DALLAS
Case No. : 08-193
Case Name : Milburn vs. Sgt. Gomez, et al.

Invoice No. : 56556 Invoice Date : 4/8/2009
Total Due : \$ 343.50
AFTER 5/8/2009 PAY \$377.85

Remit To: Court Reporters Clearinghouse, Inc.
4545 Post Oak Place, Suite 350
Houston, TX 77027-3124

PAYMENT WITH CREDIT CARD

Cardholder's Name: _____
Card Number: _____
Exp. Date: _____ Phone#: _____
Billing Address: _____
Zip: _____ Card Security Code: _____
Amount to Charge: _____

INVOICE


**COURT
REPORTERS
CLEARINGHOUSE**

214-954-0352 (Fax) 214-954-0364

Norman Giles
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

Invoice No.	Invoice Date	Job No.
56554	4/8/2009	52087
Job Date	Case No.	
3/26/2009	08-193	
Case Name		
Milburn vs. Sgt. Gomez, et al.		
Payment Terms		
Due upon receipt		

ORIGINAL AND 1 CERTIFIED COPY OF TRANSCRIPT OF:

Dymond Larae Milburn

735.00

TOTAL DUE >>> \$735.00

AFTER 5/8/2009 PAY \$808.50

Reference No. : 3856-214

Invoice prepared for:
LERIXA LITIGATION SUPPORT

Tax ID: 76-0537648

Phone: 713-658-1818 Fax: 713-658-2553

Please detach bottom portion and return with payment.

Job No. : 52087 BU ID : DALLAS

Case No. : 08-193

Case Name : Milburn vs. Sgt. Gomez, et al.

Invoice No. : 56554

Invoice Date : 4/8/2009

Total Due : \$ 735.00

AFTER 5/8/2009 PAY \$808.50

Norman Giles
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

Remit To: **Court Reporters Clearinghouse, Inc.**
4545 Post Oak Place, Suite 350
Houston, TX 77027-3124

PAYMENT WITH CREDIT CARD

Cardholder's Name: _____

Card Number: _____

Exp. Date: _____

Phone#: _____

Billing Address: _____

Zip: _____

Card Security Code: _____

Amount to Charge: _____

Cardholder's Signature: _____

INVOICE

Norman Giles
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

Invoice No.	Invoice Date	Job No.
60559	9/10/2009	55967
Job Date	Case No.	
8/27/2009	08-193	
Case Name		
Milburn vs. Sgt. Gomez, et al.		
Payment Terms		
Due upon receipt		

ORIGINAL AND CERTIFIED COPY OF TRANSCRIPT OF:

Terry Ritter

550.00

TOTAL DUE >>> **\$550.00**AFTER 10/10/2009 PAY **\$605.00**

Reference No. : 3856-214

Invoice prepared for:
LERIXA LITIGATION SUPPORT

Tax ID: 76-0537648

Phone: 713-658-1818 Fax: 713-658-2553

Please detach bottom portion and return with payment.

Norman Giles
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

Job No. : 55967 BU ID : DALLAS
Case No. : 08-193
Case Name : Milburn vs. Sgt. Gomez, et al.

Invoice No. : 60559 Invoice Date : 9/10/2009
Total Due : \$550.00
AFTER 10/10/2009 PAY \$605.00

PAYMENT WITH CREDIT CARD

Cardholder's Name: _____

Card Number: _____

Exp. Date: _____ Phone#: _____

Billing Address: _____

Zip: _____ Card Security Code: _____

Amount to Charge: _____

Cardholder's Signature: _____

Remit To: **Court Reporters Clearinghouse, Inc.**
1225 North Loop West, Suite 327
Houston, TX 77008

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS										
INVOICE NO: 20090079										
Norman Giles Chamberlain Hrdlicka Law Firm 1200 Smith Street Suite 1400 Houston, TX 77002 Phone: (713) 654-9635 <i>dawn.garrard@chamberlainlaw.com</i>						MAKE CHECKS PAYABLE TO: Edward Reed, CSR United States Court Reporter 515 Rusk Suite 8016 Houston, TX 77002 Phone: (713) 250-5594 Tax ID: 451-94-5163 <i>EdReedCR@aol.com</i>				
<input type="checkbox"/> CRIMINAL <input checked="" type="checkbox"/> CIVIL			DATE ORDERED: 10-26-2009			DATE DELIVERED: 12-01-2009				
Case Style: 3:08-CV-193, EMILY MILBURN v SGT. GILBERT GOMEZ, ET AL Transcript copy (email) of 12-12-08 Scheduling Conference Before Judge Sim Lake										
CATEGORY	ORIGINAL			1ST COPY			2ND COPY			TOTAL CHARGES
	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	
Ordinary		3.65		6	0.90	5.40		0.60		5.40
Expedited		4.85			0.90			0.60		
Daily		6.05			1.20			0.90		
Hourly		7.25			1.20			0.90		
Realtime										
Misc. Desc.										MISC. CHARGES:
										TOTAL: 5.40
										LESS DISCOUNT FOR LATE DELIVERY:
										TAX (If Applicable):
										LESS AMOUNT OF DEPOSIT:
										TOTAL REFUND:
										TOTAL DUE: \$5.40
ADDITIONAL INFORMATION Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within seven (7) calendar days, payment would be at the ordinary delivery rate.										
CERTIFICATION I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.										
SIGNATURE								DATE 12-01-2009		

(All previous editions of this form are cancelled and should be destroyed)

Statement of Account

Client: 003856 - Texas Municipal League Intergovernmental Risk Pool
 Matter: 000214 - Milburn, Emily v. Th

01/01/2001 - 04/01/2010
 Time & Rate: Original Value

Costs and Expenses

	Description	Orig. Expense	Orig. Costs	Bill Amount
09/18/2008	Automated research WESTLAW	\$167.00		\$0.00
09/23/2008	Galveston County Clerk - Filing fees for Plea in Intervention		\$55.00	\$55.00
	Total Costs/Expenses: 09/2008	\$167.00	\$55.00	\$55.00
02/17/2009	Galveston County District Clerk - Filing fees for copy of executed Order		\$1.00	\$1.00
02/17/2009	Stathakos, Stephanie - Transcript costs if criminal trial testimony of Milburns		\$460.00	\$460.00
02/26/2009	Federal Express - Delivery expense Terry Harms to Brent Norris, Galveston County Juvenile Justice		\$8.64	\$8.64
	Total Costs/Expenses: 02/2009	\$0.00	\$469.64	\$469.64
03/27/2009	Federal Express - Delivery expense JoAn Jordan to University of Texas Medical Branch, Galveston, Texas		\$7.57	\$7.57
	Total Costs/Expenses: 03/2009	\$0.00	\$49.46	\$49.46
04/01/2009	UTMB - Health Information Management - Subpoenas of documents - Dymond Milburn		\$64.66	\$64.66
04/02/2009	Giles, Norman R. - Mileage (100) to attend Oral Hearing regarding Sistruck's Motion to Quash in the District Court in Galveston, Texas		\$55.00	\$55.00
	Total Costs/Expenses: 04/2009	\$0.00	\$119.66	\$119.66
	Total Costs/Expenses: 05/2009	\$0.00	\$39.72	\$39.72
06/01/2009	UTMB - Health Information Management - Subpoenas of documents (Dymond Milburn)		\$162.15	\$162.15
06/02/2009	Federal Express - Delivery expense Terry Harms to Philip, UTMB - Health Information, Galveston, TX.		\$8.64	\$8.64
06/05/2009	Federal Express - Delivery expense UTMB - Health Information, Galveston, TX. to Norman Giles		\$14.38	\$14.38
	Total Costs/Expenses: 06/2009	\$0.00	\$185.17	\$185.17
08/27/2009	Giles, Norman R. - Mileage (105) to deposition of T. Ritter in Galveston, Texas		\$57.75	\$57.75
	Total Costs/Expenses: 08/2009	\$82.00	\$57.75	\$57.75
09/17/2009	Mach 5 Couriers, Inc. - Delivery expense Courtesy copy to Judge Hoyt		\$5.50	\$5.50
	Total Costs/Expenses: 09/2009	\$40.00	\$5.50	\$5.50
10/30/2009	Helfand, William S. - Filing fees for Interlocutory Appeal		\$455.00	\$455.00
	Total Costs/Expenses: 10/2009	\$424.00	\$455.00	\$455.00
12/01/2009	Reed, CSR, Edward - Transcript costs of 12/12/2008 Scheduled Conference		\$5.40	\$5.40
	Totals Costs/Expenses: 12/2009	\$0.00	\$5.40	\$5.40
	Totals Costs/Expenses: 01/01/2001 - 04/01/2010	\$713.00	\$1,442.30	\$1,442.30

INVOICE

Confidential Communications International, Ltd.
231 North Avenue West, #237
Westfield, NJ 07090

Invoice No.	Invoice Date	Payment Terms
236380	3/5/2009	Due Upon Receipt
Order No.	Invoice No.	Case No.
24619.001		08-193
Case Name		
Emily Milburn vs. Sergeant Gilbert Gomez et al.		
Revised Description		
Kurt Sistrunk		

Norman Ray Giles
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, 14th Floor
Houston, TX 77002-4310

Process Server	Defendant	Reference															
PROCESS SERVER	Bruce Cain Chamberlain, Hrdlicka, White, Williams & Martin 1200 Smith Street, 14th Floor Houston, TX 77002-4310	Client Matter No.: Claim No.: Insured: D/O/L:															
Subpoena	<table> <tr> <td>Subpoena</td><td>80.00</td><td>80.00</td></tr> <tr> <td>Service - Subpoena</td><td>25.00</td><td>25.00</td></tr> <tr> <td>Risk Service</td><td>42.12</td><td>42.12</td></tr> <tr> <td>Other</td><td></td><td></td></tr> <tr> <td>Total</td><td>147.12</td><td>147.12</td></tr> </table>		Subpoena	80.00	80.00	Service - Subpoena	25.00	25.00	Risk Service	42.12	42.12	Other			Total	147.12	147.12
Subpoena	80.00	80.00															
Service - Subpoena	25.00	25.00															
Risk Service	42.12	42.12															
Other																	
Total	147.12	147.12															
<p>* Assignments to be made by the client.</p> <p>Please provide a copy of this invoice to the client.</p> <p>3/5/2009 2/14</p>																	

Tax ID: 58-1764331

Please detach bottom portion and return with payment.

Norman Ray Giles
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, 14th Floor
Houston, TX 77002-4310

Invoice No. : 236380
Invoice Date : 3/5/2009
Total Due : \$ 147.12

Remit To: Confidential Communications International, Ltd.
231 North Avenue West, #237
Westfield, NJ 07090

Order No. : 24619.001
BU ID : PROCESS
Case No. : 08-193
Case Name : Emily Milburn vs. Sergeant Gilbert Gomez et al.

University of Texas Medical Branch at Galveston
April 1, 2009

ATTN BRUCE CAIN
CHAMBERLAINHRDLICKA ATTORNEYS
1200 SMITH STREET
SUITE 1400
HOUSTON TX 77002

FEES ARE DUE WITHIN 30 DAYS OF THE INVOICED DATE.
PLEASE REMIT TO:

U.T.M.B.- H.I.M.
301 University Blvd.
Galveston, Texas 77555-0782

I N V O I C E no: 0904-11 04/01/2009

PATIENT NAME	MR NUMBER	DISCHARGE DATE	RECEIVED DATE	AMOUNT CHARGED	BALANCE
MILBURN, DYMOND	962201P		03/30/2009	64.66	64.66
Basic fee	1 @	\$42.54	= 42.54		
Cost per page	7 @	\$1.43	= 10.01		
Aff/Notary Fee	1 @	\$5.00	= 5.00		
Aff/Prep. Fee	1 @	\$1.00	= 1.00		
Postage	1 @	\$6.11	= 6.11		
TOTAL				\$64.66	\$64.66

BILLING

Department of Medical Records.
University of Texas Medical Branch at Galveston
April 1, 2009

ATTN BRUCE CAIN
CHAMBERLAIN/HRDLICKA ATTORNEYS
1200 SMITH STREET
SUITE 1400
HOUSTON TX 77002

RE: 962201P MILBURN, DYMOND CHARGES: 64.66
PREPAYMENT REQUIRED ^{BILLING} (see attached invoice)

PLEASE RETURN YOUR ORIGINAL REQUEST DOCUMENTATION WITH THE
PREPAYMENT TO THE FOLLOWING ADDRESS:

If you have any questions, please call 409-772-1965.

U.T.M.B. HEALTH INFORMATION MANAGEMENT
RELEASE OF INFORMATION
301 University Blvd.
GALVESTON, TX 77555-0782

CHAMBERLAIN, HRDLICKA, WHITE, WILLIAMS & MARTIN

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

1200 SMITH STREET, SUITE 1400

HOUSTON, TEXAS 77002

(713) 658-1818 (800) 342-5829

(713) 658-2553 (FAX)

www.chamberlainlaw.com

HOUSTON
ATLANTA
PHILADELPHIA

NORMAN RAY GILES
ATTORNEY AT LAW
DIRECT DIAL NO. (713) 654-8672
E-MAIL: norman.giles@chamberlainlaw.com

June 2, 2009

Custodian of Records
University of Texas Medical Branch
301 University Boulevard
Galveston, Texas 77555

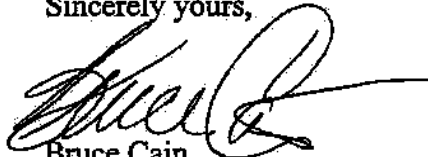
RE: No. 3:08-00193; *Emily Milburn v. Sergeant Gomez, et al*; In the United States
District Court for the Southern District of Texas, Galveston Division

To Whom It May Concern:

Please find enclosed this firm's check #049278 in the amount of \$162.15 in payment of invoice #0904-174. I have enclosed a return federal express envelope and charge slip for your convenience.

Should you have any questions concerning this matter, please contact me at 713-654-9674. Thank you for your assistance in this regard.

Sincerely yours,



Bruce Cain
Legal Assistant to
Norman R. Giles

Harms,Terry

From: TrackingUpdates@fedex.com
Sent: Wednesday, June 03, 2009 9:39 AM
To: Harms,Terry
Subject: FedEx Shipment 796656691966 Delivered

This tracking update has been requested by:

Company Name: Chamberlain Hrdlicka
Name: Terry Harms
E-mail: terry.harms@chamberlainlaw.com

Our records indicate that the following shipment has been delivered:

Reference: 3856.214 Milburn
Ship (P/U) date: Jun 2, 2009
Delivery date: Jun 3, 2009 9:18 AM
Sign for by: A.DELAPAZ
Delivered to: Shipping/Receiving
Service type: FedEx Priority Overnight
Packaging type: FedEx Envelope
Number of pieces: 1
Weight: 0.50 lb.
Special handling/Services: Deliver Weekday

Tracking number: 796656691966

Shipper Information
Terry Harms
Chamberlain Hrdlicka
1200 Smith; 14th Floor
Houston
TX
US
77002

Recipient Information
Philip
UTMB - Health Information
Managemen
301 UNIVERSITY BLVD
GALVESTON
TX
US
77555

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 9:39 AM CDT on 06/03/2009.

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This tracking update has been sent to you by FedEx on the behalf of the

6/3/2009

Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

Thank you for your business.


6/3/2009

SUBSCRIBED AND SWORN TO BEFORE ME on this 24th day of November, 2010.



0807996.01

003856-000214:11/17/2010



NOTARY PUBLIC FOR
THE STATE OF TEXAS